

REMARKS

Applicants acknowledge receipt of an Office Action dated September 21, 2007. In this response, Applicants have amended independent claim 10 and have added claims 25 and 26. Support for these amendments may be found, *inter alia*, in the second full paragraph on page 6 and in the figures. Following entry of these amendments, claims 3 and 5-26 are pending in the application.

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Allowable Subject Matter

Applicants acknowledge, with appreciation, the PTO's indication, on page 2 of the Office Action, that claims 3, 5, 6, 13, and 17-24 are allowed.

Applicants also acknowledge the PTO's indication that claims 7, 8, 11, 12, and 14 are objected to as being dependent upon a rejected base claims, but would be allowable if rewritten in independent form.

Rejection Under 35 U.S.C. § 102

On page 2 of the Office Action, the PTO has rejected claims 9, 10, 15 and 16 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent 6,269,868 to Welding (hereafter "Welding".) Applicants traverse this rejection for the reason set forth below.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See generally MPEP § 2131.

Here, Welding fails to disclose a heat exchanger comprising a side part "wherein each reinforcing fin comprises a cut out portion of the baseplate which is attached to the base plate along a single edge, which is bent along an edge at an angle out of a plane of the baseplate, and which creates an aperture in the baseplate" (emphasis added) as recited in independent claim 10. Claims 9, 15, and 16 are allowable for at least the same reason as claim 10.

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In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection under § 102.

Newly Added Claims

In this response, Applicants have added claims 25 and 26. With particular regard to claim 25, Applicants submit that Welding fails to disclose a heat exchanger unit comprising a side part “wherein the side part comprises a plurality of reinforcing fins.” With particular regard to claim 26, Applicants submit that Welding fails to disclose a heat exchanger unit “wherein the side part comprises flat longitudinal edges.”

CONCLUSION

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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